

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
CENTRAL DIVISION**

**TOMMY RADFORD  
ADC #089900**

**PLAINTIFF**

**v.**

**No: 4:21-cv-218-DPM**

**JARED BYERS, Warden, Maximum Security Unit;  
BURKES, Maintenance, Maximum Security Unit;  
L. DAVIS, Captain, Maximum Security Unit;  
E. LITZSEY, Captain, Maximum Security Unit;  
R. CLARK, Lieutenant, Maximum Security Unit;  
CLAUDELL, Lieutenant, Maximum Security Unit;  
TERRI L. MURRAY, Corporal, Maximum Security Unit;  
K. WELLS, Corporal, Maximum Security Unit;  
WOODS, CO-1 Officer, Maximum Security Unit;  
BARTON, CO-1 Officer, Maximum Security Unit;  
BREWER, Sergeant, Maximum Security Unit;  
JUSTIN SMITH, Lieutenant, Maximum Security Unit;  
VERONICA IRBY, Sergeant, MSU;  
JOHN SPEARS, Captain, MSU;  
TERRIE BANISTER, Disciplinary Hearing Officer,  
MSU; and GOODLOWE, Lieutenant, MSU**


**DEFENDANTS**

**ORDER**

The Court adopts Magistrate Judge Ray's unopposed partial recommendation, *Doc. 13*. FED. R. CIV. P. 72(b) (1983 addition to the advisory committee notes). Radford's due process claim against Bannister and his § 1983 claim against Burkes are dismissed without prejudice. Bannister, Burkes, Byers, Smith, and Goodlowe are

dismissed without prejudice. Radford's remaining claims, as specified in the recommendation, will go forward.

So Ordered.

  
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D.P. Marshall Jr.  
United States District Judge

22 February 2022